

# House Study Bill 206 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S BUDGET  
BILL)

## A BILL FOR

1 An Act relating to and making appropriations involving state  
2 government entities concerned with agriculture, natural  
3 resources, and environmental protection, and including  
4 effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

DIVISION I  
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
GENERAL APPROPRIATIONS  
Section 1. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes:  
FY 2011-2012..... \$ 16,872,308  
FY 2012-2013..... \$ 16,872,308

2. The department shall submit a report each quarter of the fiscal years to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

3. Of the amount appropriated in this section for each fiscal year, \$225,000 is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute.

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's administration

1 and enforcement of horse and dog racing law pursuant to section  
2 99D.22, including for salaries, support, maintenance, and  
3 miscellaneous purposes:

4 FY 2011-2012.....	\$	305,516
5 FY 2012-2013.....	\$	305,516

6 DESIGNATED APPROPRIATIONS — MOTOR FUEL

7 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR  
8 FUEL INSPECTION. There is appropriated from the renewable  
9 fuel infrastructure fund created in section 15G.205 to  
10 the department of agriculture and land stewardship for  
11 the following fiscal years, the following amounts, or so  
12 much thereof as is necessary, to be used for the purposes  
13 designated:

14 For purposes of the inspection of motor fuel, including  
15 salaries, support, maintenance, and miscellaneous purposes:

16 FY 2011-2012.....	\$	500,000
17 FY 2012-2013.....	\$	500,000

18 The department shall establish and administer programs  
19 for the auditing of motor fuel including biofuel processing  
20 and production plants, for screening and testing motor fuel,  
21 including renewable fuel, and for the inspection of motor fuel  
22 sold by dealers including retail dealers who sell and dispense  
23 motor fuel from motor fuel pumps.

24 DIVISION II

25 DEPARTMENT OF NATURAL RESOURCES

26 GENERAL APPROPRIATIONS

27 Sec. 4. GENERAL FUND — DEPARTMENT.

28 1. There is appropriated from the general fund of the  
29 state to the department of natural resources for the following  
30 fiscal years, the following amounts, or so much thereof as is  
31 necessary, to be used for the purposes designated:

32 For purposes of supporting the department, including its  
33 divisions, for administration, regulation, and programs; for  
34 salaries, support, maintenance, and miscellaneous purposes:

35 FY 2011-2012.....	\$	12,641,688
----------------------	----	------------

1 FY 2012-2013..... \$ 12,641,688

2     2. The department shall submit a report each quarter of each  
3 fiscal year to the legislative services agency, the department  
4 of management, the members of the joint appropriations  
5 subcommittee on agriculture and natural resources, and the  
6 chairpersons and ranking members of the senate and house  
7 committees on appropriations. The report shall describe in  
8 detail the expenditure of moneys appropriated under this  
9 section to support the department's administration, regulation,  
10 and programs.

11     Sec. 5. STATE FISH AND GAME PROTECTION FUND — DIVISION OF  
12 FISH AND WILDLIFE.

13     1. a. There is appropriated from the state fish and  
14 game protection fund to the department of natural resources  
15 for the following fiscal years, the following amount, or so  
16 much thereof as is necessary, to be used for the purposes  
17 designated:

18     For purposes of supporting the division of fish and  
19 wildlife, including for administration, regulation, and  
20 programs; and for salaries, support, maintenance, equipment,  
21 and miscellaneous purposes:

22 FY 2011-2012..... \$ 38,793,154

23 FY 2012-2013..... \$ 38,793,154

24     b. Notwithstanding section 455A.10, for each fiscal year  
25 the department may use the unappropriated balance remaining  
26 in the state fish and game protection fund to provide for the  
27 funding of health and life insurance premium payments from  
28 unused sick leave balances of conservation peace officers  
29 employed in a protection occupation who retire, pursuant to  
30 section 97B.49B.

31     2. The department shall not expend more moneys from the  
32 state fish and game protection fund than provided in this  
33 section, unless the expenditure derives from contributions made  
34 by a private entity, or a grant or moneys received from the  
35 federal government, and is approved by the natural resource

1 commission. The department of natural resources shall promptly  
 2 notify the legislative services agency and the chairpersons and  
 3 ranking members of the joint appropriations subcommittee on  
 4 agriculture and natural resources concerning the commission's  
 5 approval.

6 Sec. 6. GROUNDWATER PROTECTION FUND — WATER QUALITY. There  
 7 is appropriated from the groundwater protection fund created  
 8 in section 455E.11 to the department of natural resources for  
 9 the following fiscal years, from those moneys which are not  
 10 allocated pursuant to that section, the following amounts, or  
 11 so much thereof as is necessary, to be used for the purposes  
 12 designated:

13 For purposes of supporting the department's protection  
 14 of the state's groundwater, including for administration,  
 15 regulation, and programs, and for salaries, support,  
 16 maintenance, equipment, and miscellaneous purposes:

17 FY 2011-2012.....	\$ 3,455,832
18 FY 2012-2013.....	\$ 3,455,832

19 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

20 Sec. 7. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
 21 PROGRAM. There is appropriated from the special snowmobile  
 22 fund created under section 321G.7 to the department of natural  
 23 resources for the following fiscal years, the following  
 24 amounts, or so much thereof as is necessary, to be used for the  
 25 purpose designated:

26 For purposes of administering and enforcing the state  
 27 snowmobile programs:

28 FY 2011-2012.....	\$ 100,000
29 FY 2012-2013.....	\$ 100,000

30 Sec. 8. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK  
 31 SECTION EXPENSES. There is appropriated from the unassigned  
 32 revenue fund administered by the Iowa comprehensive underground  
 33 storage tank fund board to the department of natural resources  
 34 for the following fiscal years, the following amounts, or  
 35 so much thereof as is necessary, to be used for the purpose

1 designated:

2 For purposes of paying for administration expenses of the  
3 department's underground storage tank section:

4 FY 2011-2012.....	\$	200,000
5 FY 2012-2013.....	\$	200,000

6 Sec. 9. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR  
7 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
8 state law, for the following fiscal years, the department of  
9 natural resources may use additional moneys available to the  
10 department collected from storm water discharge permit fees as  
11 provided in section 455B.103A or 455B.197 for the staffing of  
12 the following additional full-time equivalent positions for the  
13 purposes designated:

14 1. For purposes of reducing the department's floodplain  
15 permit backlog:

16 FY 2011-2012.....	FTEs	2.00
17 FY 2012-2013.....	FTEs	2.00

18 2. For purposes of implementing the federal total maximum  
19 daily load program:

20 FY 2011-2012.....	FTEs	2.00
21 FY 2012-2013.....	FTEs	2.00

22 DIVISION III

23 IOWA STATE UNIVERSITY

24 Sec. 10. GENERAL FUND — VETERINARY DIAGNOSTIC LABORATORY.

25 1. There is appropriated from the general fund of the  
26 state to Iowa state university of science and technology for  
27 the following fiscal years, the following amounts, or so  
28 much thereof as is necessary, to be used for the purposes  
29 designated:

30 For purposes of supporting the college of veterinary  
31 medicine for the operation of the veterinary diagnostic  
32 laboratory:

33 FY 2011-2012.....	\$	3,237,636
34 FY 2012-2013.....	\$	3,237,636

35 2. a. Iowa state university of science and technology

1 shall not reduce the amount that it allocates to support the  
2 college of veterinary medicine from any other source due to an  
3 appropriation made in this section for a fiscal year.

4 b. Paragraph "a" does not apply to a reduction made to  
5 support the college of veterinary medicine, if the same  
6 percentage of reduction imposed on the college of veterinary  
7 medicine is also imposed on all of Iowa state university's  
8 budget units.

9 3. a. If by June 30, 2012, Iowa state university of science  
10 and technology fails to allocate the moneys appropriated for  
11 the fiscal year beginning July 1, 2011, and ending June 30,  
12 2012, in this section to the college of veterinary medicine in  
13 accordance with this section, the moneys appropriated in this  
14 section for that fiscal year shall revert to the general fund  
15 of the state.

16 b. If by June 30, 2013, Iowa state university of science  
17 and technology fails to allocate the moneys appropriated for  
18 the fiscal year beginning July 1, 2012, and ending June 30,  
19 2013, in this section to the college of veterinary medicine in  
20 accordance with this section, the moneys appropriated in this  
21 section for that fiscal year shall revert to the general fund  
22 of the state.

23 DIVISION IV

24 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS

25 Sec. 11. DEPARTMENT OF AGRICULTURE AND LAND  
26 STEWARDSHIP. There is appropriated from the environment first  
27 fund created in section 8.57A to the department of agriculture  
28 and land stewardship for the following fiscal years, the  
29 following amounts, or so much thereof as is necessary, to be  
30 used for the purposes designated:

31 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

32 a. For the conservation reserve enhancement program to  
33 restore and construct wetlands for the purposes of intercepting  
34 tile line runoff, reducing nutrient loss, improving water  
35 quality, and enhancing agricultural production practices:

1 FY 2011-2012..... \$ 1,000,000

2 FY 2012-2013..... \$ 1,000,000

3 b. Not more than 10 percent of the moneys appropriated  
4 in paragraph "a", for each fiscal year, may be used for  
5 costs of administration and implementation of soil and water  
6 conservation practices.

7 c. Notwithstanding any other provision in law, the  
8 department may provide state resources from this appropriation  
9 for each fiscal year, in combination with other appropriate  
10 environment first fund appropriations, for cost sharing  
11 to match United States department of agriculture, natural  
12 resources conservation service, wetlands reserve enhancement  
13 program (WREP) funding available to Iowa.

#### 14 2. WATERSHED PROTECTION

15 a. For continuation of a program that provides  
16 multiobjective resource protections for flood control, water  
17 quality, erosion control, and natural resource conservation:

18 FY 2011-2012..... \$ 900,000

19 FY 2012-2013..... \$ 900,000

20 b. Not more than 10 percent of the moneys appropriated  
21 in paragraph "a", for each fiscal year, may be used for  
22 costs of administration and implementation of soil and water  
23 conservation practices.

#### 24 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

25 a. For continuation of a statewide voluntary farm  
26 management demonstration program to demonstrate the  
27 effectiveness and adaptability of emerging practices in  
28 agronomy that protect water resources and provide other  
29 environmental benefits:

30 FY 2011-2012..... \$ 725,000

31 FY 2012-2013..... \$ 725,000

32 b. Not more than 10 percent of the moneys appropriated  
33 in paragraph "a", for each fiscal year, may be used for  
34 costs of administration and implementation of soil and water  
35 conservation practices.



1 c. Of the amount appropriated in paragraph "a", for each  
2 fiscal year, \$400,000 shall be allocated to an organization  
3 representing soybean growers to provide for an agriculture  
4 and environment performance program in order to carry out the  
5 purposes of this subsection as specified in paragraph "a".

6 4. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

7 a. For deposit in the agricultural drainage well water  
8 quality assistance fund created in section 460.303 to be used  
9 for purposes of supporting the agricultural drainage well water  
10 quality assistance program as provided in section 460.304:

11 FY 2011-2012..... \$ 875,000

12 FY 2012-2013..... \$ 875,000

13 b. Not more than 10 percent of the moneys appropriated  
14 in paragraph "a", for each fiscal year, may be used for  
15 costs of administration and implementation of soil and water  
16 conservation practices.

17 5. SOIL AND WATER CONSERVATION — ADMINISTRATION

18 For use by the department for costs of administration and  
19 implementation of soil and water conservation practices:

20 FY 2011-2012..... \$ 6,300,000

21 FY 2012-2013..... \$ 6,300,000

22 6. CONSERVATION RESERVE PROGRAM (CRP)

23 a. To encourage and assist farmers in enrolling in and the  
24 implementation of the federal conservation program and to work  
25 with them to enhance their revegetation efforts to improve  
26 water quality and habitat:

27 FY 2011-2012..... \$ 1,000,000

28 FY 2012-2013..... \$ 1,000,000

29 b. Not more than 10 percent of the moneys appropriated  
30 in paragraph "a", for each fiscal year, may be used for  
31 costs of administration and implementation of soil and water  
32 conservation practices.

33 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

34 a. For deposit in the loess hills development and  
35 conservation fund created in section 161D.2:

1 FY 2011-2012..... \$ 475,000  
 2 FY 2012-2013..... \$ 475,000  
 3 b. (1) Of the amount appropriated in paragraph "a", for  
 4 each fiscal year, \$300,000 shall be allocated to the fund's  
 5 hungry canyons account.  
 6 (2) Not more than 10 percent of the moneys allocated to the  
 7 hungry canyons account as provided in subparagraph (1), for  
 8 each fiscal year, may be used for administrative costs.  
 9 c. (1) Of the amount appropriated in paragraph "a", for  
 10 each fiscal year, \$175,000 shall be allocated to the fund's  
 11 loess hills alliance account.  
 12 (2) Not more than 10 percent of the moneys allocated to the  
 13 loess hills alliance account as provided in subparagraph (1),  
 14 for each fiscal year, may be used for administrative costs.  
 15 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND  
 16 a. For deposit in the southern Iowa development and  
 17 conservation fund created in section 161D.12:  
 18 FY 2011-2012..... \$ 225,000  
 19 FY 2012-2013..... \$ 225,000  
 20 b. Not more than 10 percent of the moneys appropriated  
 21 in paragraph "a", for each fiscal year, may be used for  
 22 administrative costs.  
 23 9. SOIL AND WATER CONSERVATION  
 24 a. For use by the department in providing for soil and  
 25 water conservation administration, the conservation of soil and  
 26 water resources, or the support of soil and water conservation  
 27 district commissioners:  
 28 FY 2011-2012..... \$ 2,000,000  
 29 FY 2012-2013..... \$ 2,000,000  
 30 b. The department may deposit any amount of the moneys  
 31 appropriated in paragraph "a", for each fiscal year, into the  
 32 Mississippi river basin healthy watersheds initiative fund  
 33 created in section 161G.2.  
 34 Sec. 12. DEPARTMENT OF NATURAL RESOURCES. There is  
 35 appropriated from the environment first fund created in section

1 8.57A to the department of natural resources for the following  
 2 fiscal years, the following amounts, or so much thereof as is  
 3 necessary, to be used for the purposes designated:

4 1. KEEPERS OF THE LAND

5 For statewide coordination of volunteer efforts under the  
 6 water quality and keepers of the land programs:

7 FY 2011-2012.....	\$	100,000
8 FY 2012-2013.....	\$	100,000

9 2. STATE PARKS MAINTENANCE AND OPERATIONS

10 For regular maintenance of state parks and staff time  
 11 associated with these activities:

12 FY 2011-2012.....	\$	2,910,000
13 FY 2012-2013.....	\$	2,910,000

14 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

15 To provide local watershed managers with geographic  
 16 information system data for their use in developing,  
 17 monitoring, and displaying results of their watershed work:

18 FY 2011-2012.....	\$	195,000
19 FY 2012-2013.....	\$	195,000

20 4. WATER QUALITY MONITORING

21 For continuing the establishment and operation of water  
 22 quality monitoring stations:

23 FY 2011-2012.....	\$	2,955,000
24 FY 2012-2013.....	\$	2,955,000

25 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

26 For deposit in the public water supply system account of the  
 27 water quality protection fund created in section 455B.183A:

28 FY 2011-2012.....	\$	500,000
29 FY 2012-2013.....	\$	500,000

30 6. REGULATION OF ANIMAL FEEDING OPERATIONS

31 For the regulation of animal feeding operations, including  
 32 as provided for in chapters 459 and 459A:

33 FY 2011-2012.....	\$	420,000
34 FY 2012-2013.....	\$	420,000

35 7. AMBIENT AIR QUALITY

1 For the abatement, control, and prevention of ambient  
2 air pollution in this state, including measures as necessary  
3 to assure attainment and maintenance of ambient air quality  
4 standards from particulate matter:

5 FY 2011-2012.....	\$	425,000
6 FY 2012-2013.....	\$	425,000

7 8. WATER QUANTITY REGULATION

8 For regulating water quantity from surface and subsurface  
9 sources by providing for the allocation and use of water  
10 resources, the protection and management of water resources,  
11 and the preclusion of conflicts among users of water resources,  
12 including as provided in chapter 455B, division III, part 4:

13 FY 2011-2012.....	\$	495,000
14 FY 2012-2013.....	\$	495,000

15 Sec. 13. REVERSION.

16 1. Notwithstanding section 8.33, moneys appropriated for  
17 the fiscal year beginning July 1, 2011, in this division of  
18 this Act that remain unencumbered or unobligated at the close  
19 of the fiscal year shall not revert but shall remain available  
20 for the purposes designated until the close of the fiscal year  
21 beginning July 1, 2012, or until the project for which the  
22 appropriation was made is completed, whichever is earlier.

23 2. Notwithstanding section 8.33, moneys appropriated for  
24 the fiscal year beginning July 1, 2012, in this division of  
25 this Act that remain unencumbered or unobligated at the close  
26 of the fiscal year shall not revert but shall remain available  
27 for the purposes designated until the close of the fiscal year  
28 beginning July 1, 2013, or until the projects for which the  
29 appropriation was made are completed, whichever is earlier.

30 DIVISION V

31 ENVIRONMENT FIRST FUND — RESOURCES ENHANCEMENT  
32 AND PROTECTION (REAP)

33 Sec. 14. IOWA RESOURCES ENHANCEMENT AND PROTECTION  
34 FUND. Notwithstanding the amount of the standing appropriation  
35 from the general fund of the state to the Iowa resources

1 enhancement and protection fund as provided in section  
 2 455A.18, there is appropriated from the environment first fund  
 3 created in section 8.57A to the Iowa resources enhancement and  
 4 protection fund, in lieu of the appropriation made in section  
 5 455A.18, for the following fiscal years, the following amounts,  
 6 to be allocated as provided in section 455A.19:

7 FY 2011-2012..... \$ 11,500,000  
 8 FY 2012-2013..... \$ 11,500,000

9 DIVISION VI

10 RELATED STATUTORY CHANGES

11 Sec. 15. Section 455G.3, subsection 7, Code 2011, is amended  
 12 to read as follows:

13 7. a. For the fiscal year beginning July 1, 2010, there is  
 14 appropriated from the Iowa comprehensive petroleum underground  
 15 storage tank fund to the department of natural resources one  
 16 hundred thousand dollars for purposes of database modifications  
 17 necessary to accept batched external data regarding underground  
 18 storage tank inspections conducted by nongovernmental entities.  
 19 b. Notwithstanding section 8.33, moneys appropriated in this  
 20 subsection that remain unencumbered or unobligated at the close  
 21 of the fiscal year shall not revert but shall remain available  
 22 for expenditure for the purposes designated until the close of  
 23 the succeeding fiscal year.

24 Sec. 16. EFFECTIVE UPON ENACTMENT. This division of this  
 25 Act, being deemed of immediate importance, takes effect upon  
 26 enactment.

27 EXPLANATION

28 GENERAL. This bill relates to agriculture and natural  
 29 resources by making appropriations for the 2011-2012 and  
 30 2012-2013 fiscal years to support related entities, including  
 31 the department of agriculture and land stewardship, the  
 32 department of natural resources, and Iowa state university.

33 The bill appropriates moneys to the department of  
 34 agriculture and land stewardship and the department of natural  
 35 resources. The appropriations are made to support those

1 departments for administration, regulation, and programs. The  
2 bill requires the departments to submit quarterly reports to  
3 the general assembly and department of management regarding the  
4 expenditure of appropriated moneys. The bill also provides  
5 moneys to support specific programs or projects administered by  
6 those departments. The bill appropriates moneys from a number  
7 of sources, including the general fund of the state, the state  
8 fish and game protection fund, the groundwater protection fund,  
9 and the environment first fund. The bill is organized into  
10 divisions.

11 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the  
12 department of agriculture and land stewardship, moneys are  
13 appropriated in order to support its divisions.

14 The bill appropriates moneys from the general fund to  
15 support designated programs, including horse and dog racing,  
16 and motor fuel inspection.

17 DEPARTMENT OF NATURAL RESOURCES. For the department of  
18 natural resources, moneys are appropriated from the general  
19 fund in order to support its divisions.

20 The bill makes appropriations from other funds. The bill  
21 appropriates moneys to the department of natural resources from  
22 the state fish and game protection fund to support programs  
23 related to fish and wildlife. The bill appropriates moneys  
24 from the groundwater protection fund to support groundwater  
25 quality. The bill appropriates moneys from the snowmobile fund  
26 to the department for snowmobile programs.

27 The bill includes miscellaneous provisions. An  
28 appropriation is made from the unassigned revenue fund  
29 administered by the Iowa comprehensive underground storage  
30 tank fund board to the department of natural resources for  
31 administration and expenses of the underground storage tank  
32 section.

33 The bill provides that the department of natural  
34 resources may use additional funds for staffing to reduce the  
35 department's floodplain permit backlog and implementing the

1 federal maximum daily load program.

2 IOWA STATE UNIVERSITY. The bill appropriates moneys from  
3 the general fund of the state for the operation of the Iowa  
4 state university's veterinary diagnostic laboratory.

5 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS. The  
6 bill appropriates funding from the environment first fund  
7 to the department of agriculture and land stewardship and  
8 the department of natural resources to support a number of  
9 programs and projects. A nonreversion clause authorizes the  
10 appropriations made in this division to be carried forward into  
11 the succeeding fiscal year.

12 ENVIRONMENT FIRST FUND — RESOURCE ENHANCEMENT AND  
13 PROTECTION. The bill appropriates moneys from the environment  
14 first fund to the resources enhancement and protection fund in  
15 lieu of the \$20 million appropriated each fiscal year by Code  
16 section 455A.8 from the general fund of the state.

17 RELATED STATUTORY CHANGES. The bill amends a provision  
18 in the Code section 455G.3 appropriating moneys to the  
19 department of natural resources for purposes of making  
20 database modifications regarding Iowa comprehensive petroleum  
21 underground storage tank inspections. The bill extends the  
22 period of the appropriation for the fiscal year beginning on  
23 July 1, 2011, and ending June 30, 2012.

24 Division VI of this Act takes effect upon enactment.